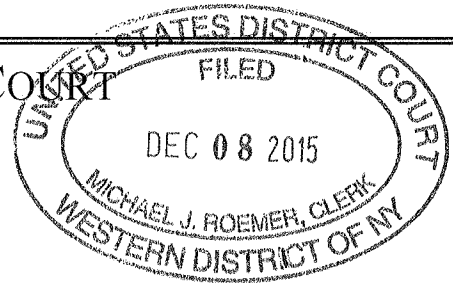


AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Western District of New York



United States of America

v.

BRANDON LOYD  
DUANE LOYD

Case No.

15-M-2148

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 7, 2015 in the county of Erie in the  
Western District of New York, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. §§ 2113(a) and 2

Bank robbery

18 U.S.C. §§ 924(c)(1)(A) and 2

Using and carrying a firearm during and in relation to a federal crime of violence; Possessing a firearm in furtherance of a federal crime of violence

This criminal complaint is based on these facts:

See attached Affidavit of FBI Special Agent Eric W. Sakovics.

☒ Continued on the attached sheet.

Complainant's signature

Eric W. Sakovics, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date:

12/8/15

City and state: Buffalo, New York

Judge's signature

Leslie G. Foschio, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT**

STATE OF NEW YORK     )  
COUNTY OF ERIE         ) SS:  
CITY OF BUFFALO        )

I, **ERIC WILLIAM SAKOVICS**, being duly sworn, deposes and states:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed since February of 2009. As such, I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States empowered by law to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516. This affidavit is based upon my knowledge of the investigation and upon information that I received from other law enforcement officers, witnesses, and cooperating sources.

2. I am currently assigned as the Bank Robbery Coordinator for the Buffalo Division of the FBI to investigate bank robberies as well as other criminal matters.

3. This Affidavit is submitted in support of a Criminal Complaint charging **DUANE LOYD** and **BRANDON LOYD**, with a violation of Title 18, United States Code, Sections 2113(a) and 2, for robbing the Key Bank branch located at 4248 Delaware Avenue, Tonawanda, New York, on December 7, 2015, and a violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2, for using and carrying a firearm during and in relation to a

crime of violence for which the person may be prosecuted in a court of the United States and for possessing a firearm in furtherance of such a crime. Key Bank's deposits are insured by the Federal Deposit Insurance Corporation. Because this affidavit is offered only to support a Criminal Complaint, it does not contain all the information obtained during the course of the investigation.

4. On December 7, 2015, at approximately 11:40 a.m., Brandon Loyd walked into the Key Bank located at 4248 Delaware Avenue, Tonawanda, New York, put a painter's respirator mask over his face, approached the tellers, and demanded money. As he was demanding money, he displayed a firearm and issued orders causing the customers in the bank to raise raised their hands into the air. As Brandon Loyd was issuing commands, a customer came through the door, unaware that the bank was being robbed. As the customer entered the door Brandon Loyd immediately pointed to the customer and issued a command. When Brandon Loyd turned back to the teller station, the customer who had just entered the bank quickly exited the bank. Upon seeing the customer fleeing, Brandon Loyd, with firearm in hand, followed the customer out the door. Brandon Loyd then returned to the teller counter where he collected the money provided to him by two tellers in the amount of \$9,711.31 in United States currency. Brandon Loyd then departed the bank and entered a blue Chrysler 200, NY registration HAR9466, which was a rental vehicle driven by his father, Duane Loyd.

5. Both Duane Loyd (driver) and Brandon Loyd departed the area in the aforementioned blue Chrysler 200. As the blue Chrysler 200 began to leave the area, City of

Tonawanda Police identified the escaping robbers and vehicle and attempted to pull the vehicle over. A police chase ensued, which resulted in the blue Chrysler 200 and a City of Tonawanda Police cruiser colliding. Both Duane Loyd and Brandon Loyd escaped out the driver's side door and began to flee on foot, but were captured shortly thereafter. Police subsequently recovered a disassembled pistol with a magazine containing 12 rounds of ammunition in the vicinity of the area where Brandon Loyd had run during the pursuit.

6. Under rights advisement and waiver thereof, Brandon Loyd stated that his father, Duane Loyd, had picked him up prior to the bank robbery in the blue Chrysler 200. Brandon stated that he was expecting to be dropped off for a personal matter, but Duane Loyd instead had driven him to the bank, and when they arrived, Duane Loyd handed a gun and mask to Brandon and told him to go into the bank and demand money. Brandon stated that he complied with his father's demands and entered the bank demanding the money. Brandon admitted that after robbing the bank he reentered the blue Chrysler 200, and, as they were departing the area, Duane Loyd told Brandon to look in the money and get rid of any security devices out of the window, which Brandon Loyd did. Brandon Loyd also described the police pursuit and the accident that ensued prior to being arrested by the responding officers.

7. The renter of the vehicle, Cooperating Source 1 (CS1), was interviewed at the Town of Tonwanda Police station. CS1 stated that Duane Loyd was using the Chrysler 200 on the morning of December 7, 2015, and CS1 observed Duane Loyd calling Brandon numerous times. CS1 received a call from Brandon Loyd at approximately 12pm that day.

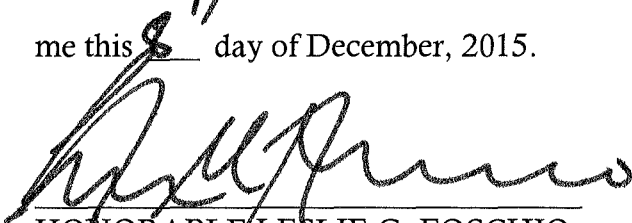
CS1 stated that Brandon Loyd told CS1 that Duane and Brandon were in trouble and for CS1 to report the car stolen. After being questioned by CS1, Brandon Loyd stated, "Just go fucking do it!" CS1 heard emergency sirens in the background. CS1 then reported the car stolen to the Buffalo Police prior to coming to the Town of Tonawanda Police station.

**WHEREFORE**, based upon the foregoing, your affiant respectfully submits that probable cause exists to believe that **DUANE LOYD** and **BRANDON LOYD** have committed violations of Title 18, United States Code, Section 2113(a) and Title 18, United States Code, Sections 924(c)(1)(A) and 2.



ERIC WILLIAM SAKOVICS  
Special Agent  
Federal Bureau of Investigation

Sworn to and subscribed to before  
me this 8 day of December, 2015.



HONORABLE LESLIE G. FOSCHIO  
United States Magistrate Judge